

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GEM YIELD BAHAMAS LIMITED and GEM  
GLOBAL YIELD LLC SCS,

Petitioners,

vs.

MULLEN TECHNOLOGIES, INC. and MULLEN  
AUTOMOTIVE, INC.,

Respondents.

Case No. 1:24-cv-01120-KPF

Hon. Katherine Polk Failla

MULLEN TECHNOLOGIES, INC. and MULLEN  
AUTOMOTIVE, INC.,

Plaintiffs,

vs.

GEM GLOBAL YIELD LLC SCS, GEM YIELD  
BAHAMAS LIMITED, and CHRISTOPHER  
BROWN,

Defendants.

Case No. 1:23-cv-11268-KPF

Hon. Katherine Polk Failla

**ORDER GRANTING MOTION TO  
WITHDRAW AS COUNSEL TO PETITIONERS**

Upon consideration of Willkie Farr & Gallagher LLP's ("Willkie") Motion to Withdraw as Counsel to Petitioners GEM Yield Bahamas Limited and GEM Global Yield LLC SCS (collectively, "GEM" or "Petitioners") in 1:24-cv-01120 (the "Confirmation Action") and from representing Defendants GEM and Christopher Brown ("Defendants") in the related action (the

“Rescission Action”), 1:23-cv-11268, and to grant a charging lien and retaining lien in connection with these actions (the “Motion”), it is hereby Ordered that:

1. The Motion is granted in its entirety.
2. Willkie is granted leave to withdraw, and is hereby deemed withdrawn, as counsel to GEM in the Confirmation Action, and as counsel to GEM and Mr. Brown in the Rescission Action.
3. Willkie is entitled to a retaining lien in an amount to be later determined pursuant to the procedure identified in this Order.
4. Willkie is entitled to a charging lien in an amount to be later determined pursuant to the procedure identified in this Order.
5. Willkie is hereby ordered to file proof of the amount of the charging lien and retaining lien with the Court within three weeks of the date of this Order. Any opposition to the amount of the liens shall be filed by Defendants within two weeks after Willkie’s initial filing and Willkie’s reply shall be filed within one week of Defendants’ opposition, if any. The amount of the charging lien and retaining lien will be determined by this Court thereafter.
6. The filings described in Paragraph 5, above, shall be filed under seal and *in camera* and shall only be provided to, and among, the Court, Willkie and Defendants.

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7. Willkie is ordered to serve a copy of this order on GEM and Mr. Brown by electronic and certified mail and to file proof of such service in both the Confirmation Action and the Rescission Action.

Seeing no opposition, the Court GRANTS the application of Willkie Farr & Gallagher, including Mr. Cheney, Ms. Maybee, Mr. Patchen, Mr. Garbacz, and Ms. Tayer, to withdraw as counsel. The Clerk of Court is directed to terminate them from Case No. 23 Civ. 11268, and from Case No. 24 Civ. 1120. The Court GRANTS the application for a charging and retaining lien in the manner described herein.

The Clerk of Court is directed to terminate the pending motion in Case No. 23 Civ. 11268 at docket entry 56, and terminate the pending motion in Case No. 24 Civ. 1120 at docket entry 129.

Dated:       October 11, 2024  
              New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE